

AMENDED IN ASSEMBLY MAY 26, 2006

AMENDED IN ASSEMBLY MAY 1, 2006

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

No. 2117

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**Introduced by Assembly Members Coto, Goldberg, Umberg,  
Wyland, Arambula, Hancock, Huff, Liu, Mullin, Pavley, and  
Richman**

February 17, 2006

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~~An act to add Section 60650 to, and to~~ *An act to add Chapter 5*  
(commencing with Section 420) to Part 1 of, the Education Code,  
relating to English language learners.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2117, as amended, Coto. English language learners: ~~waivers~~  
*pilot project.*

Existing law establishes the English Language Acquisition Program for pupils in grades 4 to 8, inclusive, and requires the Superintendent of Public Instruction to allocate \$100 per school year to each participating local educational agency for each pupil enrolled in any of those grades who is identified as eligible to participate in the program.

This bill would require the State Department of Education to establish and administer a 3-year competitive grant pilot project to ~~commence, commencing on September 1, 2007. The goal of the pilot project is to inform, to identify existing best practices regarding curriculum, instruction, inservice and staff development, and levels of teacher certification regarding the most effective practices for teaching~~ English language learners and promoting English language acquisition

and development. The bill would authorize a school district that contains at least one elementary school with an enrollment of at least 100 English language learners, middle or junior high school with an enrollment of at least 200 English language learners, or high school with an enrollment of at least 300 English language learners to apply on behalf of the eligible school or schools to the department for a grant of ~~-\$500~~ \$100 per English language learner for each of the 3 years of the pilot project. The bill would require the department to require each school district that is selected to receive a grant to provide up to ~~-\$500~~ \$100 per pupil of its own funds to match the funds provided in the grant. The bill would require the department, in consultation with the *California Subject Matter Project of the University of California*, the *Language Minority Research Institute*, the *California State University*, and the county offices of education of the Counties of Los Angeles, *Orange*, *Riverside*, San Bernardino, San Diego, San Joaquin, and Santa Clara, as part of that pilot project, to develop a plan for a training program for English language teachers, and school and school district administrators, ~~and classified staff~~, as specified.

This

The bill would provide that those provisions will become operative only if an appropriation is made for those purposes in the annual Budget Act or other statute.

~~Existing law establishes various statewide academic assessments, including the Standardized Testing and Reporting Program.~~

~~This bill would require each school district in the state to provide each English language learner who has been attending public schools in the state for less than 3 years with extra support and assistance on all statewide academic assessments, as specified. By requiring school districts to provide this additional support and assistance, the bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~yes~~ no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 5 (commencing with Section 420) is  
2 added to Part 1 of the Education Code, to read:

3  
4 CHAPTER 5. ENGLISH LANGUAGE LEARNER ACQUISITION AND  
5 DEVELOPMENT PILOT PROGRAM  
6

7 420. (a) The department shall establish and administer a  
8 three-year competitive grant pilot project to commence on  
9 ~~September 1, 2007. The goal of the pilot project is to inform~~  
10 ~~curriculum, instruction, inservice staff development, and level of~~  
11 ~~teacher certification regarding the most effective practices for~~  
12 ~~September 1, 2007. The goal of the pilot project is to identify~~  
13 ~~existing best practices regarding curriculum, instruction, and~~  
14 ~~staff development for teaching English language learners and~~  
15 promoting English language and academic English acquisition  
16 and development.

17 ~~(b) The pilot program may include, but is not limited to, any of~~  
18 ~~the following:~~

19 ~~(1) Additional hours per schoolday or additional days per~~  
20 ~~school year for purposes of providing English language~~  
21 ~~instruction.~~

22 ~~(2) Continued academic support and services for redesignated~~  
23 ~~fluent-English-proficient pupils.~~

24 ~~(3) Special services and programs for pupils who recently~~  
25 ~~enrolled in a school for the first time.~~

26 *(b) Funding for the program shall be used to support or*  
27 *expand existing programs that serve the academic needs of*  
28 *English language learners, including, but not limited to, the*  
29 *following programs:*

30 *(1) Programs that enable English language learners to learn*  
31 *academic content and acquire proficiency in the English*  
32 *language.*

33 *(2) Professional development programs for the teachers of*  
34 *English language learners.*

(c) A school district that contains at least one elementary school with an enrollment of at least 100 English language learners, middle or junior high school with an enrollment of at least 200 English language learners, or high school with an enrollment of at least 300 English language learners may apply on behalf of the eligible school or schools to the department for a grant of ~~five hundred dollars (\$500)~~ *one hundred dollars (\$100)* per English language learner for each of the three years of the pilot project. A school district that is selected to receive a grant shall agree to allow the independent research organization that conducts the evaluation pursuant to subdivision (e) unlimited access to information regarding the results of participation by the eligible school or schools in the pilot project for purposes of collecting data.

(d) The department shall require each school district that is selected to provide up to ~~five hundred dollars (\$500)~~ *one hundred dollars (\$100)* per pupil of its own funds to match the funds provided in the grant. The department shall establish criteria for evaluating grant applications and selecting applicant school districts to receive grants. The criteria shall ensure the selection of a diverse mix of schools that represent all of the following:

(1) Urban, suburban, and rural schools from the various geographic regions of the state.

(2) Various instructional approaches, including, but not limited to, structured English immersion, bilingual instruction, dual language immersion, and mainstream instruction.

(3) Enrollment of pupils of low socioeconomic status and of varying levels of academic proficiency and performance as measured by the Academic Performance Index pursuant to Article 2 (commencing with Section 52051) of Chapter 6.1 of Part 28.

(e) The department shall contract with an independent research organization to perform an evaluation of the pilot project based on a representative sample of 50,000 *or more* English language learners from participating urban, suburban, and rural schools from various geographic regions throughout the state. The evaluation shall be performed using funds other than those appropriated for purposes of this chapter. It is the intent of the Legislature that the completed evaluation highlight successful

1 programs of English language instruction that can be used as  
2 models for other schools. A report summarizing the findings of  
3 the evaluation shall be submitted to the Superintendent, the  
4 Governor, and the Legislature by November 1, 2011. The  
5 Superintendent shall review the report and submit an additional  
6 report to the Legislature that makes recommendations based on  
7 the evaluation by the independent research organization.

8 (f) It is the intent of the Legislature to enact legislation that  
9 provides flexibility to schools and school districts that receive  
10 grants and participate in the pilot project pursuant to this section  
11 with regard to restrictions imposed by state law and school  
12 district policies and regulations that may hinder the participation  
13 by those schools and school districts.

14 421. (a) A consortium that includes the department, the  
15 ~~University of California~~ *California Subject Matter Project of the*  
16 *University of California, the Language Minority Research*  
17 *Institute*, the California State University, and the county offices  
18 of education of the Counties of Los Angeles, Orange, Riverside,  
19 San Bernardino, San Diego, San Joaquin, and Santa Clara, shall  
20 develop a plan for a training program for ~~English language~~  
21 ~~teachers, school and school district administrators, and classified~~  
22 ~~staff by doing all of the following:~~

23 (1) ~~By April 1, 2007, meet to prepare plans to provide training~~  
24 ~~to English language teachers regarding the pilot project~~  
25 ~~established pursuant to this chapter.~~

26 (2) ~~By May 1, 2007, develop a database of teachers in the state~~  
27 ~~with the requisite knowledge and skills to teach language~~  
28 ~~acquisition, including academic English, to teach content~~  
29 ~~standards to English language learners, and to engage with the~~  
30 ~~families of English language learners in the process of language~~  
31 ~~acquisition.~~

32 (3) ~~By June 1, 2007, develop core program elements, peer~~  
33 ~~coaching models, and effective instructional programs based on~~  
34 ~~content standards adopted by the state board to first be used for~~  
35 ~~training in the counties described in this subdivision and to be~~  
36 ~~used subsequently throughout the state.~~

37 (4) ~~Develop a set of embedded formats to be used by schools~~  
38 ~~and school districts that participate in the pilot project established~~  
39 ~~pursuant to this chapter to assist those schools and districts in the~~  
40 ~~implementation of effective English language instructional~~

1 strategies. The embedded formats may include, but are not  
2 limited to, demonstration teaching, classroom visits, learning  
3 circles, and team teaching.

4 (5) By September 1, 2007, both of the following:

5 (A) Publish and release a list of qualified teacher trainers,  
6 criteria for those trainers, instructional programs and program  
7 elements, and a calendar that documents the delivery schedule  
8 for training.

9 (B) Direct the commencement of teacher training in each of  
10 the counties described in this section.

11 (6) By October 1, 2007, commence data collection regarding  
12 the structure and operation of the training program.

13 (7) By June 1, 2008, develop effective instructional programs  
14 for school and school district administrators and classified staff.

15 (8) By September 1, 2008, all of the following:

16 (A) Direct the commencement of training for school and  
17 school district administrators and classified staff.

18 (B) Commence comparative data collection regarding the  
19 impact of the training program established pursuant to this  
20 section on classroom instruction and pupil learning.

21 (C) Direct the commencement of training in all other counties  
22 in the state other than those described in this subdivision.

23 (9) By September 1, 2009, direct the commencement of  
24 training for school and school district administrators and  
25 classified staff in all other counties in the state other than those  
26 described in this subdivision.

27 (b) Subdivision (a) shall apply to the University of California  
28 English language teachers, and school and school district  
29 administrators, to support the academic achievement of English  
30 language learners. The plan shall include, but is not limited to,  
31 all of the following:

32 (1) A strategy to identify existing resources and local  
33 infrastructure that provides professional development to teachers  
34 of English language learners. It is the intent of the Legislature to  
35 build upon existing capacity in school districts and county offices  
36 of education in developing a professional development program  
37 for teachers of English language learners.

38 (2) A strategy to provide "expert" or "master" teachers to  
39 serve as peer coaches to classroom teachers and administrators  
40 for the purpose of improving the quality of instruction of English

1 *language learners. This strategy shall address the development*  
2 *of all of the following:*

3 *(A) Core program elements and peer coaching models to*  
4 *ensure that teachers receive professional development to instruct*  
5 *English language learners in the state academic content*  
6 *standards pursuant to Section 60605 and the English language*  
7 *development standards pursuant to Section 60811.*

8 *(B) A database of teachers in the state with requisite*  
9 *knowledge and skills to be “expert” or “master” teachers to*  
10 *teach language acquisition in accordance with the English*  
11 *language development standards pursuant to Section 60811,*  
12 *including, but not limited to, academic English, and to teach the*  
13 *academic content standards pursuant to Section 60605.*

14 *(C) Criteria to determine the skills necessary to be an*  
15 *“expert” or “master” teacher of English language learners. This*  
16 *criteria shall include, but is not limited to, a process for selecting*  
17 *a teacher for the purpose of teaching English language learners.*

18 *(b) Commencing on September 1, 2007, the consortium shall*  
19 *do all of the following:*

20 *(1) Release a list of qualified “expert” or “master” teachers*  
21 *to serve as peer coaches to classroom teachers and*  
22 *administrators for the purpose of providing professional*  
23 *development to classroom teachers and administrators.*

24 *(2) Train school district teachers and administrators using*  
25 *qualified “expert” or “master” teachers. School districts may*  
26 *request “expert” or “master” teachers to conduct training for*  
27 *their classroom teachers and administrators on improving*  
28 *instruction for English language learners. It is the intent of the*  
29 *Legislature that upon completion of their training, teachers and*  
30 *administrators shall be English language learner peer coaches*  
31 *for their schools and school districts. These coaches shall assist*  
32 *groups of classroom teachers through onsite technical*  
33 *assistance, assessment assistance, and technique evaluation on*  
34 *addressing the instructional needs of English language learners.*  
35 *Teachers and administrators working in schools ranked in*  
36 *deciles 1 to 3, inclusive, of the Academic Performance Index*  
37 *shall be given first priority to receive training under this*  
38 *program.*

1     (3) *Collect data on the number of teacher and administrators*  
2     *trained under this program and the impact this training has on*  
3     *classroom instruction.*

4     (c) *Subdivisions (a) and (b) shall apply to the University of*  
5     *California only if its participation is approved by resolution of*  
6     *the Regents of the University of California.*

7     422. This chapter shall become operative only if an  
8     appropriation is made for its purposes in the annual Budget Act  
9     or other statute.

10    ~~SEC. 2. Section 60650 is added to the Education Code, to~~  
11    ~~read:~~

12    ~~60650. A school district shall provide each English language~~  
13    ~~learner who has been attending public schools in the state for less~~  
14    ~~than three years with extra support and assistance on all~~  
15    ~~statewide academic assessments, including, but not limited to,~~  
16    ~~supplemental test booklets translated into the three most common~~  
17    ~~primary languages spoken by English language learners and~~  
18    ~~having the examination read to the pupil in his or her primary~~  
19    ~~language.~~

20    ~~SEC. 3. If the Commission on State Mandates determines that~~  
21    ~~this act contains costs mandated by the state, reimbursement to~~  
22    ~~local agencies and school districts for those costs shall be made~~  
23    ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
24    ~~4 of Title 2 of the Government Code.~~